

STATEMENT

AMERICAN PROPERTY CASUALTY INSURANCE ASSOCIATION (APCIA)

S.B. No. 101 – AN ACT CONCERNING THE FAIR RIGHT TO REPAIR

COMMITTEE ON GENERAL LAW

February 22, 2022

The American Property Casualty Insurance Association (APCIA)¹ appreciates the opportunity to comment on Senate Bill No. 101, An Act Concerning the Fair Right to Repair. With members comprising nearly 60 percent of the U.S. property casualty insurance market, APCIA represents the broadest cross-section of home, auto, and business insurers of any national trade association.

APCIA supports the right to repair movement, for the same reason we support competitive markets in general, not just for insurance but for repairs too. Consumers benefit when there are competitive markets for replacement parts and repairs for their small electronic devices, and as well as their vehicles. For many people, the biggest asset they own.

Independent motor vehicle repair facilities face similar obstacles to obtaining parts and repair information as the small electronic repair business. As pointed out in the recent report entitled “Nixing the Fix: An FTC Report to Congress”², the Federal Trade Commission highlights several concerns related to repair restrictions imposed by car manufacturers that have long been shared by auto insurers, particularly as they pertain to competition for replacement parts, and the ability of a consumer to use a repair facility of their own choosing.

In the FTC report, concerns are expressed by the auto repair and aftermarket parts industries that vehicle manufacturers only make certain replacement parts, repair manuals or diagnostic information available to affiliated repair facilities. Auto insurers share the concern that these practices limit competition and consumer choice.

While APCIA supports the concept of this bill, we strongly oppose the bill’s exemption for vehicle manufacturers. As set forth above, we believe that it is critically important that right to repair provisions apply to vehicle manufacturers.

¹ Effective January 1, 2019, the American Insurance Association (AIA) and the Property Casualty Insurers Association of America (PCIAA) merged to form the American Property Casualty Insurance Association (APCIA). Representing nearly 60 percent of the U.S. property casualty insurance market, APCIA promotes and protects the viability of private competition for the benefit of consumers and insurers. APCIA represents the broadest cross-section of home, auto, and business insurers of any national trade association. APCIA members represent all sizes, structures, and regions, which protect families, communities, and businesses in the U.S. and across the globe.

² https://www.ftc.gov/system/files/documents/reports/nixing-fix-ftc-report-congress-repair-restrictions/nixing_the_fix_report_final_5521_630pm-508_002.pdf

For the foregoing reasons, APCIA urges the committee to remove the exemption for vehicle manufacturers. If the exemption is not removed, then we would urge the Committee not to advance this bill.

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